

Notice of Allowability

Application No.

10/613,143

Applicant(s)

CAMAROTA ET AL.

Examiner

Hargobind S. Sawhney

Art Unit

2885

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on October 30, 2007.
2. ☒ The allowed claim(s) is/are 63-66, 68-71, 74-91, 94 and 95.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

1. The amendment filed on October 30, 2007 has been entered. Accordingly:
 - Claims 1-62, 67, 72 , 73, 92 and 93 have been cancelled;
 - Claims 64, 65, 68-71 and 74-82 have been withdrawn; and
 - Claims 63, 90, 91, 94 and 95 have been amended.

2. Claim 63 is allowable as discussed below. Claims 64, 65, 68-71and 74-82 are, previously withdrawn from consideration as a result of a restriction requirement require all the limitations of an allowable claim. Pursuant to the procedures set forth in MPEP § 821.04(a), **the restriction requirement among inventions subject matter as set forth in the Office action mailed on March 7, 2006, is hereby withdrawn** and claims 64, 65, 68-71and 74-82 are hereby rejoined and fully examined for patentability under 37 CFR 1.104. In view of the withdrawal of the restriction requirement, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Reasons for Allowance

3. Claims 63-66, 68-71, 74-91, 94 and 95 are allowed.

The prior art of record, including Grady et al. (US Patent No.: 6,553,629 B2), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose a lighted handle combining:

- At least one of the peripheral walls the first end portion of the bar being tapered and engageable with the recess of the bracket as recited in the amended independent claim 63;
- The light transmitting bar member including the first end portion with an annular groove receiving a seal ring mounted on the an interior peripheral surface of the recess as recited in the independent claim 66; and
- The light transmitting bar including an annular, radially inward extending step abutting the free end of the bracket; and an illumination unit having its inward portion positioned adjacent the annular step as recited in the independent claim 83.

The above combination- including the bar having an end with tapered walls; step-abutting free end of the bracket in combination of an illuminating unit- makes the invention unique.

In addition, Grady et al. ('629 B2) employs interlocking of a groove with a keyway for retaining the bar member in the recess in non-rotational and stable manner..Thus, there is no motivation for modifying the lighted handle with an annular groove and seal ring combination.

Therefore, each of the independent claims 66 and 83, and the amended independent claim 63 is allowed over prior art.

Claims 64, 65, 68-71, 74-82, 90, 91, 94 and 95 are necessarily allowed because of their dependency on the base claim 63

Claims 84-89 are necessarily allowed because of their dependency on the base claim 83.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 8:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jong-Suk (James) Lee can be reached on 571 272 7044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

1/18/2008

/Hargobind S. Sawhney/

Primary Examiner - Art Unit 2885